

U.S. Department of Justice



United States Attorney
Southern District of New York

United States District Courthouse
300 Quarropas Street
White Plains, New York 10601

February 8, 2008

BY HAND

Honorable Colleen McMahon
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: U.S. v. James G. Marquez, 06 Cr. 1138 (CM)
U.S. v. Daniel E. Marino, 05 Cr. 1036 (CM)
U.S. v. Samuel Israel III, 05 Cr. 1039 (CM)

Dear Judge McMahon:

This is to advise the Court of the status of the proposed Restitution Orders in the above-referenced cases.

The Government is in the process of finalizing the victim list and proposed restitution orders for defendants James Marquez and Daniel Marino. We anticipate submitting the proposed restitution orders for the Court's approval by the end of next week.

The Government is consulting with counsel for the victims, to provide the Court with a proposed schedule for distributing the forfeited funds once the Department of Justice ("DOJ") approves this Office's restoration request. Pursuant to the Court's directive, this schedule will provide for a reserve fund for the Bayou Redeemers.

The distribution of forfeited funds to the victims under the restitution orders should not be delayed by the adjournment of the sentencing of defendant Samuel Israel. The funds forfeited from James Marquez and Daniel Marino can be distributed to the victims after the entry of the restitution orders and approval of this Office's restoration request. The Clerk of the Court does not need to wait for the sentencing of defendant Samuel Israel to

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distribute the funds. The Government anticipates that it will request that the Court adopt the same victim list and distribution schedule as ordered by the Court for Daniel Marino at the sentencing of Samuel Israel III, on April 14, 2008.

Respectfully submitted,

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cc: By fax to the attached service list.